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C O N F I D E N T I A L SECTION 01 OF 02 BERLIN 000541

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SUBJECT: GERMANY ON APRIL 28-29 GAERC

REF: STATE 43742

Classified By: POLITICAL MINISTER COUNSELOR JEFF RATHKE. REASONS: 1.4 (B) AND (D).

¶11. (C) SUMMARY: Pol-mil/external chief met with MFA Deputy European Correspondent Thomas Schieb April 25 to discuss reftel points on key issues to be discussed at the April 28-29 EU General Affairs and External Relations Council (GAERC). The Western Balkans, the Middle East, Burma, Zimbabwe and Pakistan will be on the GAERC agenda, but notably, Iran will not. Attempts to finalize the EU designations list in time for the GAERC ran into a hiccup, as two banks on the proposed designation list need to be routed again through the EU-wide interagency clearance process due to a technical problem. Meanwhile, the MFA Senior Iran desk officer reports that EU discussions on implementing UNSRC 1803 have only "just started." The April 28-29 GAERC will issue Council conclusions on Uzbekistan, Burma, Zimbabwe and Pakistan. The mandate for negotiations with Russia on renewing the Partnership and Cooperation Agreement (PCA) is likely to remain blocked. Due to other commitments, FM Steinmeier is not expected to attend the GAERC; Germany will be represented by MFA State Minister for Europe Guenter Gloser. END SUMMARY.

Uzbekistan

¶12. (C) Schieb said that there will be a Council conclusion announcing a six-month extension of the suspension of sanctions against Uzbekistan, in recognition of the recent progress that Uzbekistan has made on human rights, including abolition of the death penalty, restoration of habeas corpus, ratification of the ILO Convention regarding child labor and the release of four political prisoner in February. On the other hand, the conclusions will also highlight that human rights still remain "problematic" and urging Uzbekistan to take further steps. Schieb indicated that the decision to suspend the sanctions for another six months had been fairly controversial and agreement had only been decided in the EU Committee of Permanent Representatives (COREPER) yesterday (April 24).

Russia

¶13. (C) Schieb said that a controversial issue unlikely to be resolved at this month's GAERC is the adoption of the mandate for negotiations with Russia on renewing the Partnership and Cooperation Agreement (PCA). He said that while Poland was no longer blocking, Lithuania was now insisting that four annexes be attached to the mandate, including one on energy cooperation and frozen conflicts. A Slovenian EU Presidency compromise for two annexes (one on judicial cooperation and energy cooperation) has been rejected by the Lithuanians. Schieb said Germany opposed including things in the negotiating mandate that "we know the Russians can't accept" and was worried about EU divisions on this issue becoming

public. Germany is still keen on getting the mandate approved before the EU-Russia Summit in June.

Western Balkans

¶4. (C) Schieb acknowledged the desirability of signing the Stabilization and Association Agreement (SAA) with Bosnia at this month's GAERC, but said that for mostly technical reasons (lack of time to translate and prepare all the necessary documents), it probably will not happen. Schieb said that Kosovo will be the topic of the lunch discussion, but that no decisions or Council conclusions are expected. Schieb noted that ministers would discuss the need to "adjust their approach" given that the UN will not be ready to complete the transition to EULEX by June 15. Schieb said the U.S. and EU were completely agreed on the need to avoid any step that would imply a partition of Kosovo.

Burma

¶5. (C) Schieb said the Council would adopt conclusions on Burma that renew restrictive measures for another 12 months. The EU is willing to consider additional measures in the months ahead depending on developments.

Iraq

¶6. (C) There will be a discussion of the results of the April 22 neighbors conference in Kuwait based on a report from the Slovenian EU presidency. Schieb said ministers will also discuss EU engagement on reconstruction efforts in Iraq.

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Sweden is expected to brief on a conference it is hosting in Stockholm at the end of May regarding the international compact with Iraq.

Zimbabwe

¶7. (C) Schieb said the Council will issue very critical conclusions that call for the immediate release of the long-delayed election results and condemn the post-election violence.

Pakistan

¶8. (C) The Council will also issue conclusions on the situation in Pakistan and highlight the recent decision to triple EU assistance to Pakistan. High Rep Solana will brief on his recent visit. Schieb noted that the EU Troika is expected to travel to Pakistan next week.

Middle East

¶9. (C) There will be an exchange of views about developments in the Middle East, with a view to the May 2 Ad Hoc Liaison Committee (AHLC) meeting in London. German MFA State Minister Gloser will brief on preparations for the June 24 Berlin Conference on Palestinian security assistance.

Iran

¶10. (C) PolOff delivered GAERC points April 23 to MFA Senior Iran Desk Officer Deike Potzel. Potzel said that Iran is not on the April GAERC agenda (confirmed subsequently by Schieb), noting that it would be "the first time in years" that Iran is not discussed. She noted that the April 21 RELEX meeting to finalize the designations list had run into a hiccup, as

two banks on the proposed designation list need to be routed again through the EU-wide interagency clearance process due to a technical problem. She emphasized that the UK (and others, including Germany) are committed to listing the banks, but that the new clearance process would probably delay RELEX approval of the list. She said if RELEX does pass the designation list, Ministers at the GAERC could officially endorse the designations under the existing Common Position.

¶11. (C) As for the other two elements, (1) implementation of UNSCR 1803 and (2) "beyond 1803" measures, she said that discussion on implementing 1803 had just started and that two sides exist: those who favor implementing 1803 by the letter only (including Italy and Spain), and those who want robust measures and to go beyond (including the EU3). She noted that Italy had stressed that it would only agree to the designations list if 1803 implementation was "by the letter."

She acknowledged that Italy's position may change with the new Italian government. She stressed the importance of immediate implementation of 1803 in order to avoid its announcement coinciding with any new developments from the P5 1. (NOTE: we heard similar comments from the MFA's Economic Policy division). She added that moving beyond 1803 will be difficult and will not be fast, citing as an example Slovenia's unsuccessful attempts to sustain a productive discussion on the two remaining elements due to fundamental disagreements among Member States.

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